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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,443	05/12/2006	Arnold Gloor	DSM-18-US	9839
50446 7590 06/04/2009 HOXIE & ASSOCIATES LLC 75 MAIN STREET, SUITE 301 MILLBURN, NJ 07041				
EXAMINER				
LILLING, HERBERT J				
ART UNIT		PAPER NUMBER		
1657				
MAIL DATE		DELIVERY MODE		
06/04/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ATTACHMENT TO NOTICE OF NON-COMPLIANT AMENDMENT SER NO 10/565443

In the interview of April 06, 2009 which stated as follows:

"Attorney Brittany La, Reg No. 58,337, telephoned this Examiner for clarification of the grounds for the Office Action Letter of April 1, 2009 indicating "Failure to Acceptably Respond to Notice of Non-Compliant Amendment" pertaining to Box 4 A and Box E.

Attorney indicated that the response to the first Non-Compliant Amendment of January 30, 2009 indicating Box C and Box E was corrected in accordance with the requirements of Box 2 which recites:

Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. **If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.**

Attorney La indicated that that only correction required were for the claims that had the errors which stated "**previously presented**", **which errors were corrected in the April 1, 2009 amendment by removing the statement "previously presented".**"

This Examiner clearly indicated as above that Attorney corrected the claims [see above bold underlined remarks], however, the amendments to the claims status failed to cover all of the claims whereby the status of claims (Withdrawn-previously presented) on page 7 of the current claims were corrected for claims 38-40 but not for claim 41.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to HERBERT J. LILLING whose telephone number is 571-272-0918. The examiner can normally be reached on WORK AT HOME MAXIFLEX.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JON WEBER can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

H.J.Lilling: HJL

(571) 272-0918

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June 03, 2009

/HERBERT J LILLING/
Primary Examiner Art Unit 1657